

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the products consisted in whole or in part of filthy substances by reason of the presence, in the belladonna, of insect fragments and, in the stramonium, of insect fragments and larvae.

DISPOSITION: March 27 and April 10, 1946. The United Rexall Drug Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the products were ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

DRUG ACTIONABLE BECAUSE OF THE PRESENCE OF A NON-CERTIFIED COAL-TAR COLOR

1966. Adulteration and misbranding of Clover Dairy Ointment. U. S. v. 33 Cans of Clover Dairy Ointment. Default decree of condemnation and destruction. (F. D. C. No. 19932. Sample No. 50977-H.)

LIBEL FILED: May 20, 1946, Western District of Wisconsin.

ALLEGED SHIPMENT: Between the approximate dates of January 14 and March 7, 1946, by the Perfection Manufacturing Corporation, from Minneapolis, Minn.

PRODUCT: 33 cans of *Clover Dairy Ointment* at Catawba, Wis. Analysis showed that the product consisted essentially of petroleum oil, zinc oxide, methyl salicylate, oil of sassafras, lanolin, and a red dye.

NATURE OF CHARGE: Adulteration, Section 501 (a) (4), the article contained, for purposes of coloring only, a coal-tar color other than one from a batch that had been certified in accordance with the regulations.

Misbranding, Section 502 (a), the following statements on the label of the product were false and misleading: "For the treatment of swollen, caked udders and an aid in healing sore, * * * teats and sores and bruises. * * * In cases of swollen or caked udders use generously * * * Helps keep teats and udders in a soft, healthy, producing condition." These statements represented and suggested that the article possessed healing properties; that it would be effective in the treatment of swollen and caked udders and all causes of sore teats and sores; that it would be effective in the treatment of bruises; and that it would keep the teats and udders in a soft, healthy producing condition. The article did not possess healing properties, and it would not be effective for the purposes claimed.

Misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 502 (e) (2), the label failed to bear the common or usual name of each active ingredient of the product.

DISPOSITION: August 1, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

1967. Adulteration of triple distilled water. U. S. v. The Adson-Intrasol Laboratories, Inc., and David Ashkin. Pleas of guilty. Corporation fined \$600; individual defendant sentenced to 3 months' imprisonment. (F. D. C. No. 14253. Sample Nos. 66234-F, 76268-F, 77621-F.)

INFORMATION FILED: October 1, 1945, Eastern District of New York, against the Adson-Intrasol Laboratories, Inc., a corporation, Brooklyn, N. Y., and David Ashkin, in charge of the business of the corporation.

ALLEGED SHIPMENT: Between the approximate dates of December 2, 1943, and February 23, 1944, from the State of New York into the States of New Jersey and Pennsylvania.

LABEL, IN PART: "Triple Distilled Water."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be water for injection, a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, but its quality and purity fell below the official standard since it contained pyrogens and undissolved material. The Pharmacopoeia provides that water for injection shall be free and shall

*See also Nos. 1951, 1963, 1996.

remain free from pyrogens and that it must be a clear liquid, but the difference in quality and purity of the drug from the official standard was not stated on the label.

DISPOSITION: October 17, 1945. Pleas of guilty having been entered, the corporation was fined \$600, and the individual defendant sentenced to 3 months' imprisonment. The sentences were to run concurrently with similar sentences against the same defendants, as reported in notices of judgment on drugs and devices, No. 1968.

1968. Adulteration and misbranding of Estrovin. U. S. v. Adson-Intrasol Laboratories, Inc., and David Ashkin. Pleas of guilty. Corporation fined \$400; individual defendant sentenced to 3 months' imprisonment. (F. D. C. No. 16555. Sample No. 6202-H.)

INFORMATION FILED: October 1, 1945, Eastern District of New York, against Adson-Intrasol Laboratories, Inc., a corporation, Brooklyn, N. Y., and David Ashkin, secretary-treasurer.

ALLEGED SHIPMENT: On or about December 7, 1944, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Estrovin (Estrogenic Hormones Substance) * * * 1 cc. contains 10,000 I.U. of Estrogenic Hormones Substance, obtained from Equine Urine."

NATURE OF CHARGE: Adulteration, Section 501 (d), an oil solution consisting of estrogenic hormone substance other than as it occurs in and as it is extracted from equine urine, had been substituted in whole or in part for an oil solution of estrogenic hormones substance obtained from equine urine, which the article purported and was represented to be.

Misbranding, Section 502 (a), the label statement, "Contains * * * Estrogenic Hormones Substance, obtained from Equine Urine," was false and misleading.

DISPOSITION: October 25, 1945. Pleas of guilty having been entered on behalf of the defendants, the corporation was fined \$400, and the individual defendant was sentenced to 3 months' imprisonment. The sentences were to run concurrently with similar sentences against the same defendants, as reported in notices of judgment on drugs and devices, No. 1967.

1969. Adulteration and misbranding of Estrovin in Oil and Testocrin in Oil. U. S. v. Melville J. Eschwege, alias M. J. Ash and M. Jerome. Plea of guilty. Defendant sentenced to pay a fine of \$100 and to serve 1 year in jail. Jail sentence suspended, and defendant placed on probation. (F. D. C. No. 15584. Sample Nos. 79835-F, 79836-F.)

INDICTMENT RETURNED: November 5, 1945, District of Columbia, against Melville J. Eschwege, alias M. J. Ash and M. Jerome, Washington, D. C.; charging that on or about May 10, 1943, and June 12, 1944, the defendant with intent to defraud and mislead, introduced and delivered for introduction into interstate commerce in the District of Columbia quantities of *Estrovin in Oil* and *Testocrin in Oil* which were adulterated and misbranded.

PRODUCT: Both of the samples involved in this action were found to consist of diethylstilbestrol, from which the original labels had been removed and other labels attached.

LABEL, IN PART: "Estrovin In Oil * * * [or "Testocrin in Oil"] Adson-Intrasol Lab's. Brooklyn, N. Y."

NATURE OF CHARGE: *Estrovin in Oil*, adulteration, Section 501 (d) (2), diethylstilbestrol had been substituted in whole for natural estrogenic hormone substance, which the article purported to be.

Testocrin in Oil, adulteration, Section 501 (d) (2), diethylstilbestrol had been substituted in whole for *Testocrin in Oil* containing in each 1 cc. ampul 25 capon units of testosterone propionates, which the article was represented to be.

Misbranding, Section 502 (a), the statement "Adson-Intrasol Lab's Brooklyn, N. Y." appearing on the labels of the articles was false and misleading since that firm was not the manufacturer, packer, or distributor of the articles; and, Section 502 (e) (2), the labels of the articles failed to bear the common or usual name of each active ingredient.

DISPOSITION: December 5, 1945. A plea of guilty having been entered, the court imposed a fine of \$100 and sentenced the defendant to 1 year in jail. The jail sentence was suspended and the defendant was placed on probation, conditioned that he discontinue the sale of all drugs.